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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/183,605 10/30/98 SHUSTER

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EXAMINER

TM02/1106

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ART UNIT

PAPER NUMBER

2155
DATE MAILED:

11/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/183,605

Applicant(s)

SHUSTER, BRIAN

Examiner

Tammy T. Lee

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 1998.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-4 and 6-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-4 and 6-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) _____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

DETAILED ACTION

1. Claims 2-4 and 6-22 are presented for examination.

Claim Rejection – 102(e)

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 2, 7, 9, 11 and 16-22 are rejected under 35 U.S.C. § 102(e) as being clearly anticipated by Filepp et al (hereinafter Filepp), U.S. patent no. 5,796,967.

4. As per claim 2, Filepp teaches a method comprising:

receiving a request for access to first information content from the recipient computer (reception layer 401, fig 2) over the network; transferring the requested first information content to the recipient computer from the provider computer (delivery system 20, fig 2) after said receiving step;

transferring additional software to the recipient computer from the provider computer with the first information content, wherein the additional software comprises at least one program routine (command bar 290, fig 3a) for interacting with further software that operates on the recipient computer for accessing the first information content on the recipient computer, the

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further software comprising at least one function operable at the selection of a user for requesting access to second information content (col. 3, lines 1-36);

executing the at least one program routine of the additional software in the recipient computer to register activation of the at least one function in the further software on the recipient computer for requesting access to the second information content (command "Jump" opens a window at the display concurrent with the application, col. 3, lines 37-51); and

operating the recipient computer under at least partial control of the additional software to provide access to an information content in response to the activation of the at least one function in the further software (col. 3, lines 1-59).

5. As per claim 7, Filepp discloses the step of executing the at least one program routine further comprises registering activation of a browser function selected from the group consisting of back, forward, home, favorite sites and bookmarked sites (fig 3a and 3b).

6. As per claim 9, Filepp discloses that the step of operating the recipient computer further comprises preventing the second information content from being displayed on the recipient computer (col. 3, lines 1-59).

7. As per claim 19, Filepp discloses a method comprising:

providing defined pages of information content in at least one provider computer connected to the computer network, wherein ones of the defined pages are formatted for display in at least one frame of a display on a recipient computer (col. 3, lines 1-36);

providing program instructions operable on the recipient computer in a first page of the defined pages, wherein the program instructions comprise the step of recognizing a user-selection event on the recipient computer while at least a portion of the first page is displayed thereon, wherein the user selection event is for requesting a second page of information which is not one of the defined set of pages, and the program instructions further comprises the step of requesting a third page after said recognizing step of the program instructions, wherein the third page is one of the defined pages (col. 3, lines 37-51);

serving the first page to the recipient computer for display thereon; receiving a request from the recipient computer for the third page, wherein the request is generated by the program instructions executed in the recipient computer after said first serving step; and serving the third page to the recipient computer (col. 3, lines 1-59).

8. As per claim 20, Filepp teaches that said second providing step further comprises providing program instructions further comprising the step of preventing display of the second page of information on the recipient computer after said recognizing step of the program instructions (col. 3, lines 1-59).

9. As per claim 21, Filepp teaches an apparatus comprising:

a provider computer adapted to connect to a computer network, said provider computer operable to serve information to a recipient computer upon request therefrom (col. 3, lines 1-36);

a memory connected to said provider computer; defined pages of information content stored in said memory, said defined pages formatted for display in at least one frame of a display

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on a recipient computer, wherein at least one of said defined pages comprises program instructions operable on the recipient computer after said one of said defined pages is provided to the recipient computer, said program instructions comprising the steps of: recognizing a user-selection event on the recipient computer while said at least a portion of said one of said defined pages is displayed thereon, said user selection event for requesting a user-selection page of information, wherein said user-selected page of information is not one of said defined pages; requesting a predetermined page after said recognizing step, wherein the predetermined page is one of said defined pages (col. 3, lines 1-59).

10. As per claim 22, Filepp teaches that said program instructions further comprise the step of preventing display of the user-selected page of information on the recipient computer after said recognizing step (col. 3, lines 1-59).

11. Claims 11 and 16-18 have similar limitations as claims 2, 7 and 9; therefore, they are rejected under the same rationale.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was

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made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 3-4, 8 and 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Filepp et al (hereinafter Filepp), U.S. patent no. 5,796,967 in view of Murray, U.S. patent no. 6,061,659.

14. As per claim 3, Filepp discloses the invention substantially as claimed; however, Filepp does not disclose that the step of requesting first information content comprises transmitting a request to access a first internet site over the internet and wherein the step of transferring first information content comprises transferring at least one HTML file associated with the first internet site.

Murray teaches that transmitting a request to access a first internet site over the internet and transferring first information content comprises transferring at least one HTML file associated with the first internet site (col. 4, lines 38-46 and col. 5, line 9-col. 6, line 39).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Filepp and Murray to transfer at least one HTML file associated with the first internet site because it would allow the user to describe the appearance of an electronic document which is interpreted by a browser and allow the generation of highly sophisticated documents linked with other data types.

15. As per claim 4, Filepp discloses that the step of transferring additional software which includes at least one program routine on the recipient computer (fig 3a, 3b and col. 9, line 33-col.

10, line 35). Filepp discloses the invention substantially as claimed; however, Filepp does not disclose transferring browser script interacting with a browser program.

Murray teaches that transferring browser script interacting with a browser program on the recipient computer (col.9, lines 37-49).

16. As per claim 8, Filepp discloses that the step of transferring additional software which includes at least one program routine on the recipient computer (fig 3a, 3b and col. 9, line 33-col. 10, line 35). Filepp discloses the invention substantially as claimed; however, Filepp does not disclose transferring browser script interacting with a browser program.

Murray teaches that transferring browser script interacting with a browser program on the recipient computer (col.9, lines 37-49).

17. Claims 12-15 have similar limitations as claims 3-4 and 8; therefore, they are rejected under the same rationale.

18. Claims 6 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Filepp et al (hereinafter Filepp), U.S. patent no. 5,796,967 in view of Murray, U.S. patent no.6,061,659 and Rothfus et al, U.S. patent no. 6,044,372.

19. As per claim 6, Filepp and Murray disclose that the step of operating the recipient computer under at least partial control of the additional software to provide access to third information content comprises transferring at least one HTML file associated with a third site to

the recipient computer, wherein the third site is different than a second site whereon the second information content resides (opening and closing windows on the display to enable presentation for providing additional partitions for concurrently displaying other applications, Abstract and col. 3, lines 1-26).

Filepp and Murray disclose the invention substantially as claimed; however, Filepp and Murray do not disclose that the third Internet site is different than the second Internet site.

Rothfus teaches that set up an Internet site, which is different than other Internet site (col. 3, line 40-col. 4, line 16).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Filepp, Murray and Rothfus for having a system which has different internet sites because it would allow the user to locate and obtain notification when useful information is available.

20. As per claim 10, Filepp and Murray disclose that the step of operating the recipient computer further comprises transferring at least one HTML file associated with a third site from the provider computer to the recipient computer, wherein the third site is different than a second site whereon the second information content resides, and at least a portion of the HTML file is displayed on the recipient computer instead of the second information content.

Filepp and Murray disclose the invention substantially as claimed; however, Filepp and Murray do not disclose that the third Internet site is different than the second Internet site.

Rothfus teaches that set up an Internet site, which is different than other Internet site (col. 3, line 40-col. 4, line 16).

Response to Arguments

21. Applicant's arguments with respect to claims 2-4 and 6-22 have been considered but are moot in view of the new ground(s) of rejection.

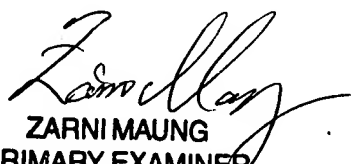
Conclusion

22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammy T. Lee whose telephone number is 703-308-9119. The examiner can normally be reached on Mon-Fri (9:30am-6:00pm). If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone numbers for the organization where this application or proceeding is 703-305-7201.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Tammy T. Lee
Patent Examiner
October 26, 2000


ZARNI MAUNG
PRIMARY EXAMINER